

## ORDINANCE

**WHEREAS**, the City of Chicago (the "City"), a home rule unit of government under Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, has heretofore found and does hereby find that there exists within the City a serious shortage of decent, safe and sanitary rental housing available to persons of low and moderate income; and

**WHEREAS**, the City has determined that the continuance of a shortage of affordable rental housing is harmful to the health, prosperity, economic stability, and general welfare of the City; and

**WHEREAS**, the City has certain funds available from a variety of funding sources (the "Multi-Family Program Funds") to make loans and grants for the development of multi-family residential housing to increase the number of families served with decent, safe, sanitary, and affordable housing and to expand the long-term supply of affordable housing, and such Multi-Family Program Funds are administered by the City's Department of Housing ("DOH"); and

**WHEREAS**, DOH has preliminarily reviewed and approved the making of a loan to HUB32, LLC, an Illinois limited liability company (the "Borrower"), of which HUB32 Manager, LLC, an Illinois limited liability company, is the managing member (the "Managing Member"), in an amount not to exceed \$10,000,000 (the "Loan") to be funded from Multi-Family Program Funds pursuant to the terms and conditions set forth in Exhibit A attached hereto and made a part hereof; and

**WHEREAS**, pursuant to an ordinance adopted by the City Council of the City (the "City Council") on May 17, 2000, and published at pages 30775-30925 of the Journal of Proceedings of the City Council (the "Journal") for such date, a certain redevelopment plan and project (as amended, the "Plan") for the Midwest Redevelopment Project Area (the "Area") was approved pursuant to the Illinois Tax Increment Allocation Redevelopment Act, as amended (65 ILCS 5/11-74.4-1 et seq.) (the "Act"); and

**WHEREAS**, pursuant to an ordinance adopted by the City Council on May 17, 2000, and published at pages 30926-30939 of the Journal for such date, the Area was designated as a redevelopment project area pursuant to the Act; and

**WHEREAS**, pursuant to an ordinance (the "TIF Ordinance") adopted by the City Council on May 17, 2000, and published at pages 30940-30953 of the Journal for such date, tax increment allocation financing was adopted pursuant to the Act as a means of financing certain Area redevelopment project costs (as defined in the Act) incurred pursuant to the Plan; and

**WHEREAS**, the Borrower intends to acquire, pursuant to a separate vacation and dedication ordinance (the "Alley Ordinance"), title to that certain to-be-vacated public alley legally described in Exhibit B (the "To-Be-Vacated Alley"); and,

**WHEREAS**, the Borrower intends to purchase from the City certain property located within the Area at 201 North Kedzie Avenue, Chicago, Illinois 60612, 3209 West Lake Street, Chicago, Illinois 60612, and 3201 West Lake Street, Chicago, Illinois, 60612, and legally described on Exhibit B (the "City Parcels"; the To-Be-Vacated Alley, together with the City Parcels, the "Property"), and the Borrower intends to commence and complete construction of one building containing a total of 51 units, of which 51 units will be affordable apartments for low-income families (together with related common areas along with commercial space, the "Project"); and

**WHEREAS**, after the Borrower acquires the Property, the Borrower intends to dedicate a portion of Parcel 1 of the City Parcels (as described on Exhibit B) for a 16-foot north/south alley pursuant to the Alley Ordinance; and

**WHEREAS**, the appraised fair market value of the City Parcels as of July 2023 is two hundred and forty thousand Dollars (\$240,000.00), and the Borrower has submitted a proposal to DOH, pursuant to which the City would convey the City Parcels for \$1.00 to the Borrower for use in the Project; and

**WHEREAS**, the City, through its Department of Planning and Development ("DPD"), issued a Request for Proposals ("RFP") for the City Parcels for sale to the public; and

**WHEREAS**, DPD received three (3) submissions to the RFP, one of which affiliates of the Borrower submitted; and

**WHEREAS**, DPD evaluated the submissions on the basis of the criteria set forth in the RFP and determined that the submission affiliated with the Borrower best satisfied the goals and objectives of the RFP; and

**WHEREAS**, pursuant to its Resolution 26-CDC-04 adopted by the Community Development Commission of the City of Chicago (the "Commission") on February 10, 2026, the Commission recommended designation of the Borrower as the developer for the Project and authorized the City to negotiate, execute, and deliver a redevelopment agreement with the Borrower for the Project; and

**WHEREAS**, the Borrower will be obligated to undertake the Project in accordance with the terms and conditions of a proposed redevelopment agreement (the "Redevelopment Agreement") to be executed by the Borrower and the City, with the Project to be financed in part by certain pledged incremental taxes deposited from time to time in the Midwest Tax Increment Financing Redevelopment Project Area Special Tax Allocation Fund for the Area (the "TIF Fund") pursuant to Section 5/11-74.4-8(b) of the Act ("Incremental Taxes"); now, therefore,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:**

**SECTION 1.** The above recitals are expressly incorporated in and made a part of this ordinance as though fully set forth herein.

**SECTION 2.** Upon the approval and availability of the Additional Financing as shown in Exhibit A hereto, the Commissioner of Housing (the "DOH Commissioner") and a designee of the DOH Commissioner (collectively, the "Authorized DOH Officer") are each hereby authorized, subject to approval by the Corporation Counsel, to enter into and execute such agreements and instruments, and perform any and all acts as shall be necessary or advisable in connection with the implementation of the Loan. The Authorized DOH Officer is hereby authorized, subject to the approval of the Corporation Counsel, to negotiate any and all terms and provisions in connection with the Loan which do not substantially modify the terms described in Exhibit A hereto. Upon the execution and receipt of proper documentation, the Authorized DOH Officer is hereby authorized to disburse the proceeds of the Loan to the Borrower.

**SECTION 3.** The Project shall be deemed to qualify as "Affordable Housing" for purposes of Chapter 16-18 of the Municipal Code of Chicago (the "Municipal Code"). Sections 2-44-080 through 2-44-105 of the Municipal Code shall not apply to the Project or the Property.

**SECTION 4.** Upon the approval of the Additional Financing, the Commissioner of Planning and Development or a designee thereof (the "Authorized DPD Officer") is hereby authorized, with the approval of the City's Corporation Counsel as to form and legality, to negotiate, execute and deliver the Redevelopment Agreement with the Borrower, and such other supporting documents as may be necessary to carry out and comply with the provisions of such agreements, with such changes, deletions and insertions as shall be approved by the persons executing such agreements. The Redevelopment Agreement shall be in substantially the form attached hereto as Exhibit C and made a part hereof and hereby approved with such changes therein as shall be approved by the Authorized DPD Officer executing the same, with such execution to constitute conclusive evidence of such officer's approval of any changes or revisions from the form of Redevelopment Agreement attached to this ordinance.

**SECTION 5.** The City Council hereby finds that the City is authorized to loan an aggregate amount not to exceed \$14,500,000 ("City Funds") from Incremental Taxes deposited in the general account of the TIF Fund to the Borrower to finance a portion of the eligible costs included within the Project, including securing any portion of the Additional Financing. The proceeds of the City Funds are hereby appropriated for the purposes set forth in this Section 5.

**SECTION 6.** The Mayor, the Chief Financial Officer, the City Comptroller, the City Clerk, the Authorized DOH Officer, the Authorized DPD Officer and the other officers of the City are authorized to execute and deliver on behalf of the City such other documents, agreements and certificates and to do such other things consistent with the terms of this ordinance as such officers and employees shall deem necessary or appropriate in order to effectuate the intent and purposes of this ordinance

**SECTION 7.** The conveyance of the City Parcels to the Borrower for \$1.00 is hereby approved. The Mayor or a proxy of the Mayor is authorized to execute, and the City Clerk or the Deputy City Clerk is authorized to attest, one or more quitclaim deeds conveying the City Parcels to the Borrower, or to a land trust of which the Borrower is the sole beneficiary, or to an entity of which the Borrower is the sole owner and the controlling party, or to an entity with the same owners (including percentages of ownership interest) and controlling parties as the Borrower, subject to those covenants, conditions and restrictions set forth in the Redevelopment Agreement.

**SECTION 8.** To the extent that any ordinance, resolution, rule, order or provision of the Municipal Code of Chicago, or part thereof, is in conflict with the provisions of this ordinance, the provisions of this ordinance shall control. If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this ordinance.

**SECTION 9.** This ordinance shall be in full force and effect immediately upon its passage and approval.